

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ROBERT J. PETRO, JR.,)
)
)
Plaintiff,)
)
v.) No. 1:21-cv-02474-JPH-KMB
)
)
SHELBYVILLE POLICE DEPARTMENT,)
BART SMITH police officer,)
CHARLES CURRY police officer,)
)
Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION

Magistrate Judge Kellie M. Barr has entered a Report and Recommendation, dkt. 67, recommending that "Mr. Petro's claims in this action be dismissed without prejudice for failure to prosecute." The parties have had the opportunity to object but have not done so. *See* Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1). The Court has considered and now **ADOPTS** the Report and Recommendation. Dkt. [67]. Mr. Petro's complaint is **DISMISSED without prejudice.**

All pending motions, if any, are now **DENIED as moot** and all previously ordered dates relating to discovery, filings, schedules, conferences, and trial, if any, are **VACATED**.

Final judgment, consistent with this Order and the Screening Order, dkt. 16, will issue by separate entry.

SO ORDERED.

Date: 6/20/2023

James Patrick Hanlon

James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

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All electronically registered counsel